

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS AND LABOR**

**Call to Order:** By **CHAIRMAN JIM KEANE**, on January 24, 2005 at 9:30 A.M., in Room 172 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Jim Keane, Chairman (D)  
Rep. Kathleen Galvin-Halcro, Vice Chairman (D)  
Rep. Joe McKenney, Vice Chairman (R)  
Rep. Elsie Arntzen (R)  
Rep. Bob Bergren (D)  
Rep. Tim Dowell (D)  
Rep. Kevin T. Furey (D)  
Rep. Dave Gallik (D)  
Rep. Ralph Heinert (R)  
Rep. Llew Jones (R)  
Rep. Mike Jopek (D)  
Rep. Harry Klock (R)  
Rep. Scott Mendenhall (R)  
Rep. Mike Milburn (R)  
Rep. Don Roberts (R)  
Rep. Wayne Stahl (R)  
Rep. Dan Villa (D)  
Rep. Jonathan Windy Boy (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Bart Campbell, Legislative Branch  
Kyanne Kelly, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 189, 1/19/2005; HB 318,  
1/19/2005; HB 343, 1/19/2005  
Executive Action: HB 306, HB 149

**HEARING ON HB 189**

**Opening Statement by Sponsor:**

**REP. GARY MATTHEWS (D), HD 40**, opened the hearing on **HB 189**,  
Impose phased-in premium tax on state fund.  
00:04:31

**Proponents' Testimony:**

00:11:59 Jacqueline Lenmark, American Insurance Association  
00:19:30 Aidan Myhre, American Insurers Group  
00:21:32 Larry Kibbee, Property Casualty Insurers of  
America

**Opponents' Testimony:**

00:23:22 Riley Johnson, National Federation of Independent  
Business  
00:28:30 Jason Todhunter, Montana Logging Association

**Informational Testimony:**

00:30:23 Matthew Cohn, Montana State Fund

**Questions from Committee Members and Responses:**

00:32:24

**Closing by Sponsor:**

00:53:33

**HEARING ON HB 318**

**Opening Statement by Sponsor:**

**REP. JOE MCKENNEY (R), HD 18**, opened the hearing on **HB 318**,  
Revise limited health benefit demonstration project.  
00:57:29

**Proponents' Testimony:**

00:59:39 Colleen Senterfitt, New West Health Services  
[EXHIBIT \(buh18a01\)](#)  
01:03:55 Erin McGown Fincham, State Auditor's Office

01:06:48 Kristianne Wilson, Deaconess Billings Clinic  
01:09:16 Riley Johnson, National Association of Independent  
Business

**Opponents' Testimony:**

01:11:08 Charles Briggs, Montana Diabetes Association

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:13:09

**Closing by Sponsor:**

01:18:51

**HEARING ON HB 343**

**Opening Statement by Sponsor:**

REP. DAVE GALLIK (D), HD 79, opened the hearing on **HB 343**, Repeal liability limitation under motor vehicle insurance.

01:21:48

[EXHIBIT](#)(buh18a02)

**Proponents' Testimony:**

01:25:06 Jed Fitch, Montana Trial Lawyers Association

[EXHIBIT](#)(buh18a03)

**Opponents' Testimony:**

01:27:24 Roger McGlenn, Independent Insurance Organization

01:31:20 Jacqueline Lenmark, American Insurance Association

01:34:37 Greg VanHorsen, Insurance Carriers of America

01:37:25 Larry Kibbee, Property and Casualty Insurers of  
America

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:39:00

**Closing by Sponsor:**

01:47:23

EXECUTIVE ACTION ON HB 306

Motion: REP. GALLIK moved that HB 306 DO PASS.

Discussion:

02:07:01

Motion/Vote: REP. GALLIK moved that HB 306 BE AMENDED. Motion carried unanimously.

[EXHIBIT](#)(buh18a04)

Motion: REP. GALLIK moved that HB 306 DO PASS AS AMENDED.

Discussion:

02:08:07

Vote: Motion carried unanimously.

EXECUTIVE ACTION ON HB 149

Motion: REP. GALLIK moved that HB 149 DO PASS.

Discussion:

02:10:31

[EXHIBIT](#)(buh18a05)

Motion: REP. GALLIK moved that HB 149 BE AMENDED.

Discussion:

02:11:40

Vote: Motion carried unanimously.

Motion: REP. GALLIK moved that HB 149 DO PASS AS AMENDED.

Discussion:

02:17:12

Vote: Motion failed 9-9 by roll call vote. REPS. GALVIN-HALCRO, BERGREN, DOWELL, FUREY, GALLIK, JOPEK, VILLA, WINDY BOY and KEANE voted aye.

Motion: REP. GALLIK Withdrew his motion that HB 149 DO PASS.

**ADJOURNMENT**

Adjournment: 12:00 A.M.

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REP. JIM KEANE, Chairman

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KYANNE KELLY, Secretary

JK/KK

Additional Exhibits:

**EXHIBIT ([buh18aad0.PDF](#))**